



News Release

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**IDWR Issues Stream Channel Alteration Notices of Violation
To Three Marsing Residents For Snake River Unpermitted Work**

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Editor's Note: Digital images of the violations are available upon request.

State stream channel protection managers have issued notices of violation to three Marsing residents for damages done to more than 750 feet of stream bank on the Snake River through unauthorized excavation and dumping of fill material, the Idaho Department of Water Resources announced today.

The notices of violation were issued to Steven M. Burgess, Brad Evans and Max Garrison. The notices also seek a total of \$3,464 in civil penalties from the three; penalties, which will be suspended, provided the damages to the riverbank are repaired.

The violations were as follows:

- Steven M. Burgess – unpermitted excavation and placement of unauthorized fill material along 205 feet of riverbank, not associated with the maintenance of any water intake structures; a civil penalty of \$1,060;
- Brad Evans – unpermitted excavation and placement of unauthorized fills along 420 feet of the riverbank and a landing extending into the river channel not associated with the maintenance of any water intake structures; a civil penalty of \$1,490; and
- Max Garrison – unpermitted excavation of riverbed material and placement of excavated material and pre-cast concrete blocks into the river channel to construct a landing along 132 feet of the riverbank and extending into the river channel and not associated with the maintenance of any water intake structure.; a civil penalty of \$914.

The U.S. Army Corps of Engineers has also issued separate notices of violation in the case including a requirement that the riverbank be restored and revegetated.

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The violations were actually reported last summer but staff shortages and dozens of other backlogged investigations delayed IDWR investigation and action on the situation until recently.

The IDWR civil penalties will be suspended provided the riverbank is restored as outlined by the Corps of Engineers. Should restoration work not be completed by April 1 the penalties will become due, and the individuals then will have until April 15 to file a plan showing how the restoration and removal of fill from the river will be done.

The three individuals have until the middle of March to meet with the Department to discuss how to resolve the violations.

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